



APPLICATION ACCEPTED: July 12, 2013
BOARD OF ZONING APPEALS: April 2, 2014*
*Moved at the applicant's request
TIME: 9:00 a.m.

County of Fairfax, Virginia

March 26, 2014

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2013-DR-052

DRANESVILLE DISTRICT

APPLICANTS AND OWNERS: Charles B. Molster III
Sharon B. Molster

SUBDIVISION: Dranesville

STREET ADDRESS: 815 Blacks Hill Road, Great Falls, 22066

TAX MAP REFERENCE: 6-4 ((01)) 26

LOT SIZE: 5.47 acres

ZONING DISTRICT: R-E

ZONING ORDINANCE PROVISIONS: 8-609

SP PROPOSAL: To permit a riding stable.

STAFF RECOMMENDATION: Staff recommends approval of SP 2013-DR-052 subject to the proposed development conditions contained in Appendix 1:

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

O:\rhomert\Special Permits\Molster Stables\Staff report feb 7.doc

Rebecca Homer

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**

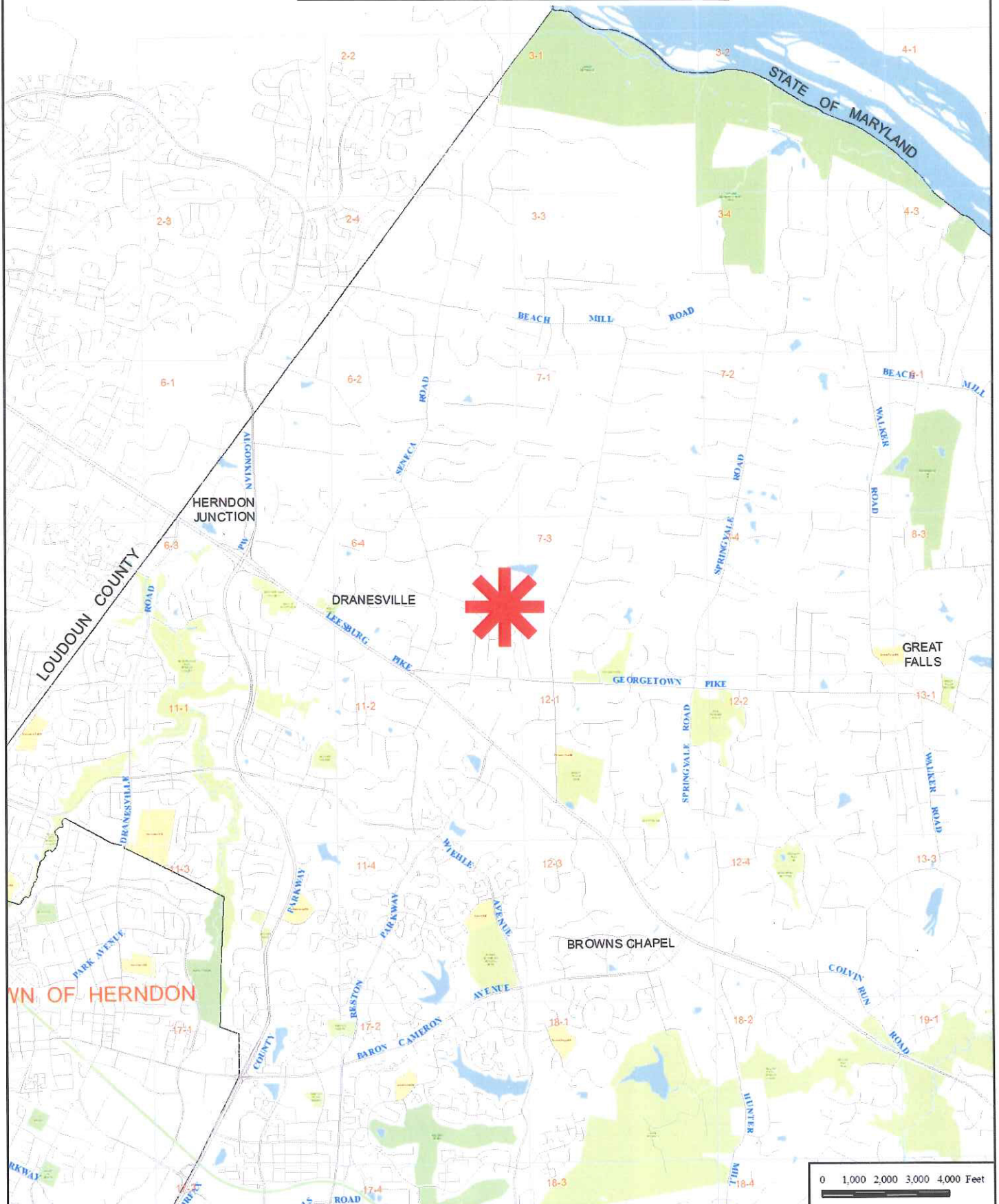


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

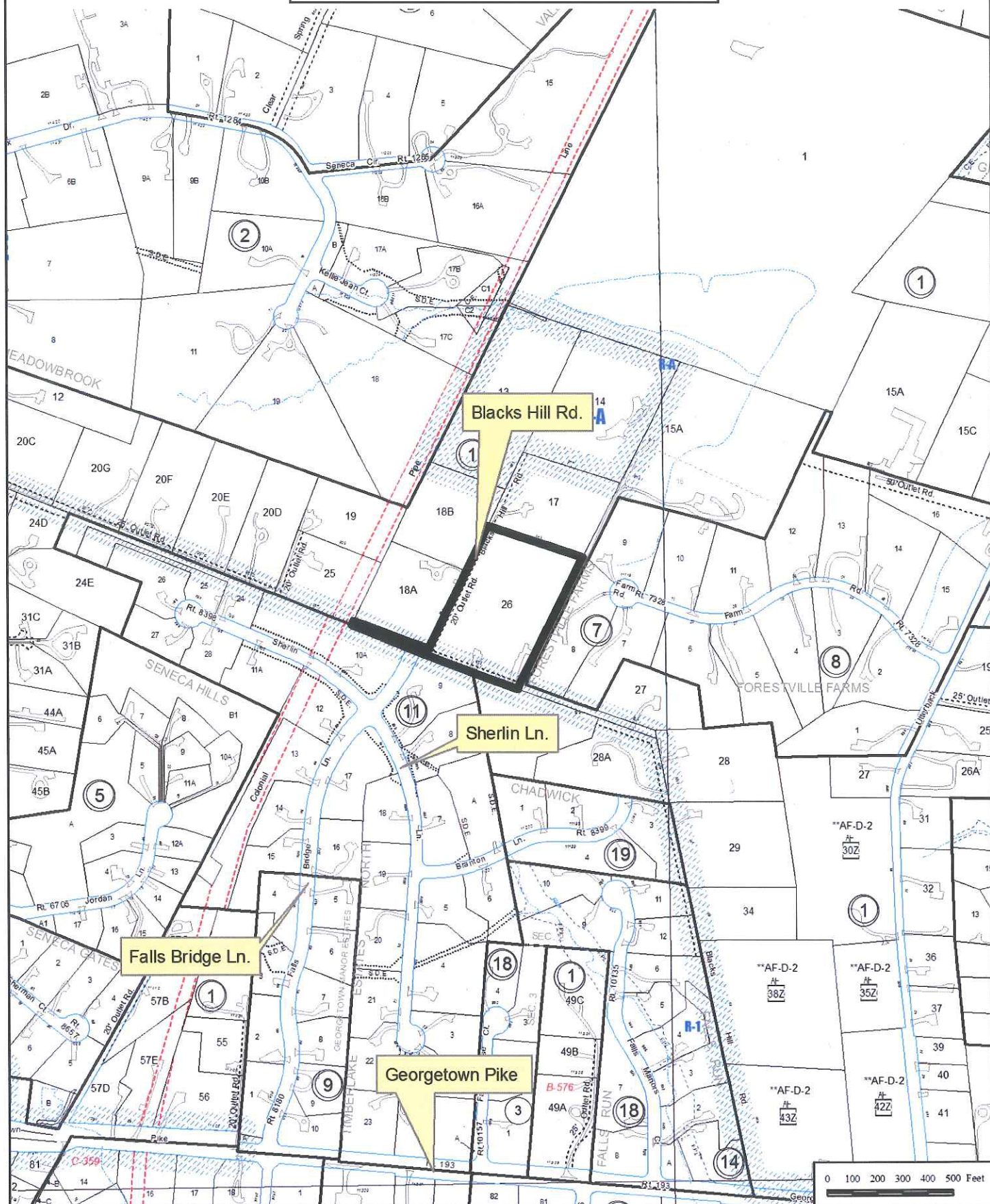
Special Permit

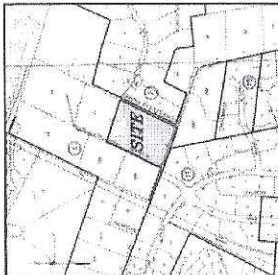
SP 2013-DR-052

CHARLES B. MOLSTER, III AND SHARON B. MOLSTER



CHARLES B. MOLSTER, III AND SHARON B. MOLSTER





SPECIAL USE PERMIT PLAT

MOLSTER PROPERTY

DECEMBER 28, 2012
REV. MARCH 13, 2014

PROJECT TEAM

OWNER/APPLICANT

CHARLES B. III AND
SHARON B. MOLSTER
815 BLACK HILL ROAD
GREAT FALLS, VA 22066
PHONE: (703) 340-1595

LAND USE ATTORNEY

REED SMITH
ATTN. GRAYSON P. HANES
3110 FAIRVIEW PARK DRIVE
SUITE 1400
FALLS CHURCH, VA 22042
PHONE: (703) 641-4200
FAX: (703) 641-4340

CIVIL ENGINEER

TRI-TEK ENGINEERING, INC.
ATTN. TED BRITT
680 CENTER STREET
SUITE 300
PERSIMMON, VA 20170
PHONE: (703) 481-5900
FAX: (703) 481-0901

SHEET INDEX

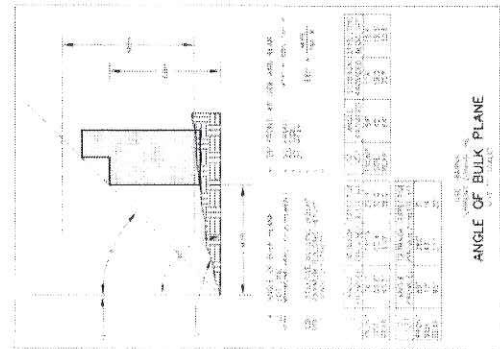
- 1) COVER SHEET
- 2) NOTES & DETAILS
- 3) SPECIAL USE PERMIT PLAT
- 4) STORMWATER MANAGEMENT
- 5) TREE CONSERVATION/LANDSCAPE PLAN



THE PROPERTY OF
CHARLES B. MOLSTER, III
& SHARON B. MOLSTER, III
U.S. 6122, P.O. BOX 908
GREAT FALLS, VIRGINIA 22066

COVER SHEET

DATE	12/28/12
BY	SHARON B. MOLSTER, III
CHECKED BY	CHARLES B. MOLSTER, III
APPROVED BY	CHARLES B. MOLSTER, III
SCALE	AS SHOWN
SHEET NO.	1 OF 5
PROJECT NO.	12-001
CLIENT	CHARLES B. MOLSTER, III & SHARON B. MOLSTER, III
LOCATION	815 BLACK HILL ROAD, GREAT FALLS, VA 22066
DESCRIPTION	SPECIAL USE PERMIT PLAT



TRI-TEK
ENGINEERING

CIVIL
ENVIRONMENTAL
LAND PLANNING
SURVEYING

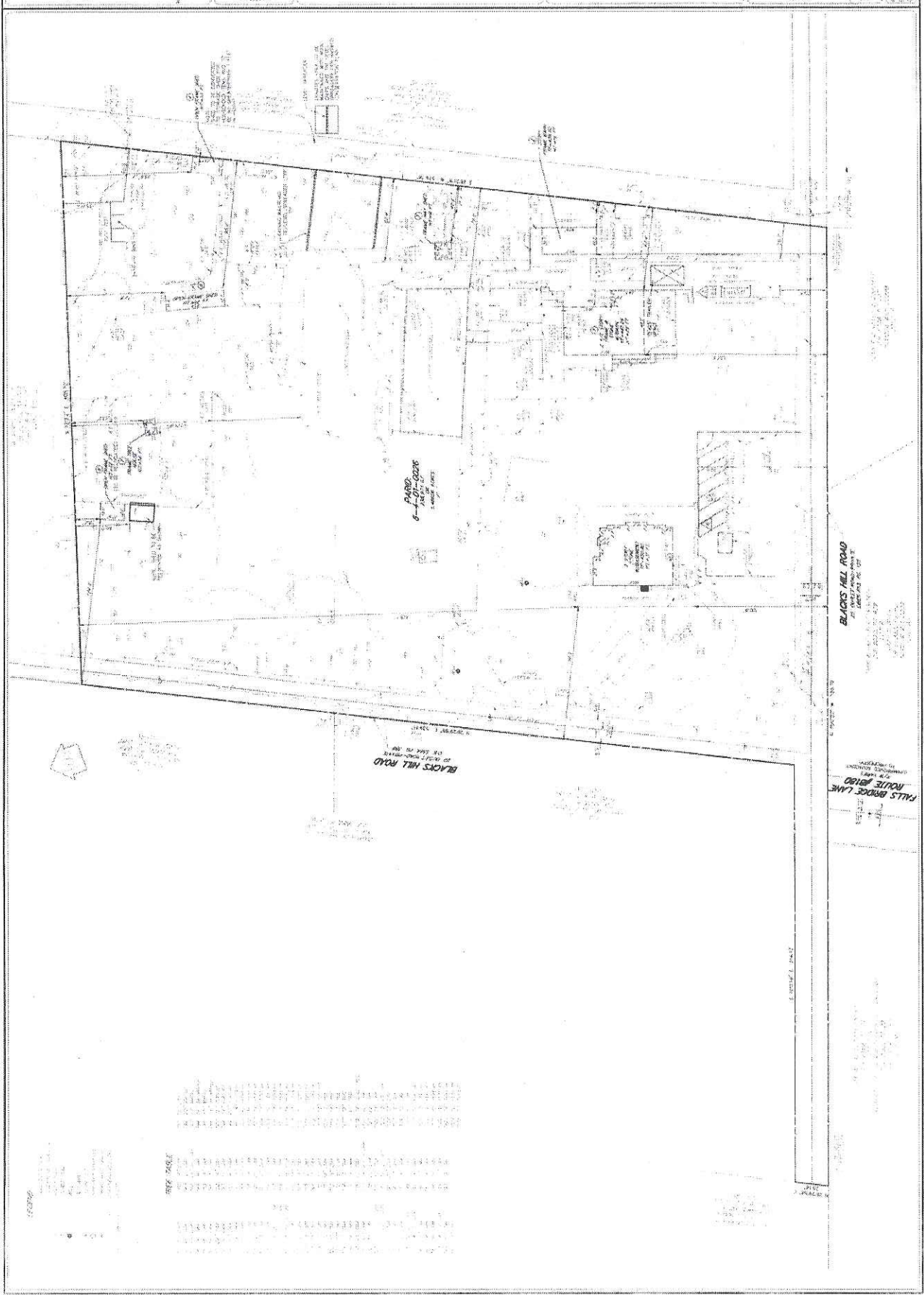
1000 N. 10TH ST.
SUITE 200
TULSA, OK 74103
P. (918) 481-1500
F. (918) 481-1501
WWW.TRI-TEK-OK.COM



THE PROPERTY OF
CHARLES B. WOLSTER, III
& SHARON B. WOLSTER
D.B. 9623, PG. 818

**SPECIAL USE
PERMIT PLAT**

NO.	DESCRIPTION	DATE
1	PRELIMINARY PLAT	10/1/2023
2	FINAL PLAT	10/1/2023





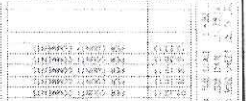
卷之四

Journal of Interpersonal Violence 26(10) 1939-1956
© The Author(s) 2011. Reprints and permissions: sagepub.com/journalsPermissions.nav
DOI: 10.1177/0886260511411111

[illegible]

1998-1999, p. 100. The first part of the book is a review of the literature on the topic of the book, and the second part is a review of the literature on the topic of the book.

SECTION C-C
DOSE: 0.0001 mg/kg



MOLSTER PROPERTY
815 BLACKS HILL ROAD
GREAT FALLS, VA



PHOTO 1: LOOKING N TOWARDS BARN



PHOTO 2: LOOKING N ALONG BLACKS HILL ROAD

MOLSTER PROPERTY
815 BLACKS HILL ROAD
GREAT FALLS, VA



PHOTO 3: LOOKING SW TOWARDS FRAME SHED, BARN, AND HOME



PHOTO 4: LOOKING W TOWARDS BARN AND CONCRETE PATIO

MOLSTER PROPERTY
815 BLACKS HILL ROAD
GREAT FALLS, VA



PHOTO 5: LOOKING TOWARDS UPPER AND LOWER RIDING RING



PHOTO 6: LOOKING SE TOWARDS BARN

MOLSTER PROPERTY
815 BLACKS HILL ROAD
GREAT FALLS, VA



PHOTO 7: LOOKING S TOWARDS BARN



PHOTO 8: LOOKING W TOWARDS BARN

MOLSTER PROPERTY
815 BLACKS HILL ROAD
GREAT FALLS, VA



PHOTO 9: LOOKING N TOWARDS HOME ON LOT



PHOTO 10: LOOKING W TOWARDS BACK OF LOT

MOLSTER PROPERTY
815 BLACKS HILL ROAD
GREAT FALLS, VA



PHOTO 11: LOOKING W TOWARDS FROM PARKING AREA



PHOTO 12: LOOKING N TOWARDS BACK OF LOT



803 Sherlin Lane
3/2012



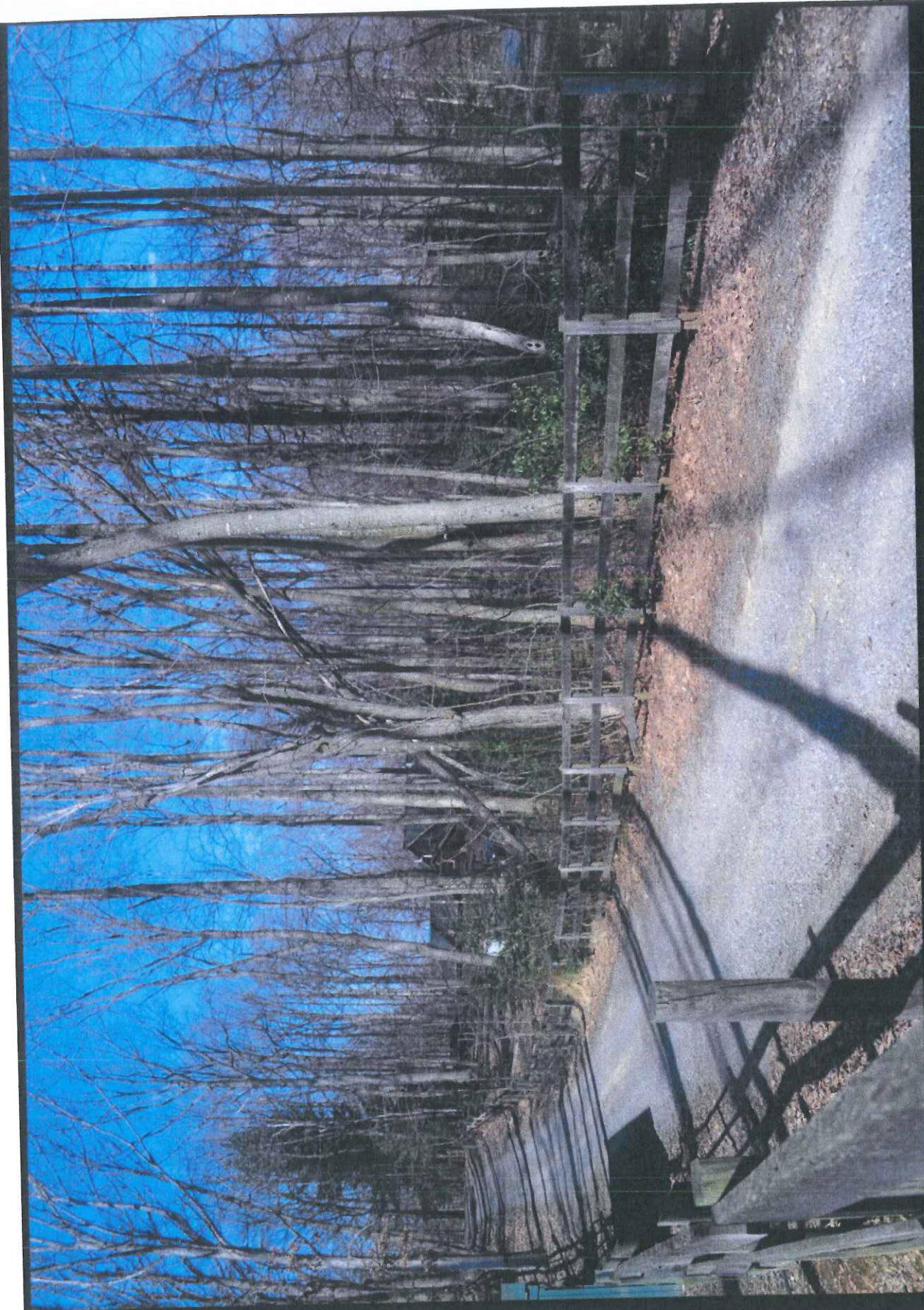
817 Blacks Hill Road
Access Road



817 Blacks Hill Road
Access Road



11113 Farm Road
3/2013



11112 Farm Rod
3/20/13



824 Blacks Hill Rd
Lot 3/2013



813 Blacks Hill Rd
11/2012



801 Blacks Hill Rd
3/2013



803 Blacks Hill Rd

3/20/13

SPECIAL PERMIT REQUEST

The applicants request approval of a special permit for a riding stable on their residential lot. A copy of the special permit plat titled "Special Use Permit Plat, Molster Property" prepared by TriTek Engineering, dated December 28, 2012 as revised though December 23, 2013, is included at the front of the staff report. A detailed description of the request starts on Page 2.

CHARACTER OF THE SITE AND SURROUNDING AREA

The area is predominately large lot residential uses, zoned RE, Residential Estate. The existing site is developed with a two-story stone dwelling, constructed in 2012. A pool is located to the west of the stone dwelling. A gravel parking area is located south of the dwelling and takes access to Blacks Hill Road.

The dwelling and swimming pool are located in the southwest corner of the lot. A septic and drain field is located north of the dwelling. A 2.5-story dwelling structure, the original house on the property, was converted into a barn and is located in the southeast corner of the lot. A concrete pad is attached to the southern side of the 2.5-story barn. Another structure, a one-story frame barn is located adjacent to the eastern side lot line.

Various sheds are located throughout the pasture areas as shown on the attached plat.



Two outdoor riding rings are located north of the barn and stables. The rings are enclosed with wood fencing. Outdoor lighting exists adjacent to the upper riding ring. Approximately half of the pasture area is grass, while the other half is dirt or mulch. The dirt and mulch area is terraced. Numerous mature trees are located throughout the property. Wood fencing (4.5 feet in height) surrounds the pastures.

A large-lot residential subdivision surrounds the property on the north, east and west. Falls Bridge Subdivision is located to the south and consists of residential dwellings on slightly smaller lots. A stub road, Falls Bridge Lane, connects to Blacks Hill Road. The stub road is presently improved with a dead-end bulb; however the right-of-way extends to Blacks Hill Road. Blacks Hill Road is a private gravel access road, which takes access to Georgetown Pike. Blacks Hill Road extends along the western lot line to the north to provide access for properties to the north. Blacks Hill Road dead-ends into a Colonial Pipeline easement to the west of the subject property.

There are no Environmental Quality Corridors (EQC), Resource Protection Areas, (RPA) or floodplains on the property.

BACKGROUND

The applicants purchased the property in 1992. In 2003, the applicants purchased 8 horses. In 2009, the applicants began operating a summer riding program and subsequently a fall lesson program for approximately 17 students. In addition, a summer camp was conducted for 15 campers, which ran 5 days a week. On June 18, 2012, the Department of Code Compliance, responding to a complaint, performed a site inspection and found that a riding stable was being operated on site. On June 19, 2012, a Notice of Violation (NOV) was issued to the owner for operating a riding stable without approval of a special permit. A copy of the NOV is included as Appendix 4. The owners then filed an appeal of the NOV to the Board of Zoning Appeals, but then requested continuation of the appeal until they could obtain approval of a special permit. The appeal, A 2012-DR-019 is now scheduled for April 23, 2014.

DESCRIPTION OF THE REQUEST

The applicants request a special permit to operate a riding program on their property. The applicants currently have 7 horses on-site but would like to reserve approval of one additional horse to replace the loss of one horse that recently died. The proposed riding program would provide riding lessons to no more than a total of 12 students per day, with up to four classes and no more than four students per class, five days a week during the fall, winter and spring. The classes would be held between the hours of 8:00 am and 7:00 pm, or sunset, whichever comes first. Two instructors would conduct the classes. Students would be required to carpool to and from the lessons for a maximum of four cars on-site per day. Drivers would bring the students and remain on-site until the end of the lesson.

During the summer months of June and July, the applicants propose to conduct a summer camp for a maximum of 12 students per day, Monday through Friday between the hours of 8:00 am and 2:00 pm. The summer camp would include riding lessons

and other basic elements involved in owning a horse, such as horse safety, grooming, tacking, horse health, best barn practices and equestrian training. Students would be required to carpool to summer camp resulting in a maximum of three cars on-site per day; however, drivers would not be required to remain on site during the duration of the camp. Two instructors would oversee the camp activities each day. In addition, one evening lesson would be conducted per week, with a maximum of two vehicles carpooling to the lesson, and a maximum of two instructors. The classes would end at sunset since no outdoor lighting is proposed for the operation of the program. Outdoor lights are located at one riding ring, but are not proposed to be used for riding lessons but for occasional personal use associated with the residence. No equestrian shows are proposed on-site.

As an alternative to providing access to the subject property solely from Blacks Hill Road, which is a private gravel road, a graphic depiction of a proposed driveway access is shown extending from the terminus of Falls Bridge Road located adjacent to the southwest corner of the property. The graphic is shown on Page 2 of the special permit plat, and the applicants state that they would like to reserve the right to obtain access for the proposed riding stable as well as their residence, in the event that the Virginia Department of Transportation, (VDOT) approves access to Falls Bridge Road as shown.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Upper Potomac Planning District; Area III
Planning Sector: Springvale Community Planning Sector
Plan Map: Residential 0.2 - 0.5 d.u. per acre

ANALYSIS

Land Use and Environmental Analysis (Appendix 5)

The Comprehensive Plan shows the application property to be planned for large lot residential development at a density of 0.2 to 0.5 du/ac. In staff's evaluation, the intensity of development and proposed use are within the guidelines contained in the Comprehensive Plan.

Land Use and Environment (Appendix 5)

The 5.47 acre subject site is located on the northern periphery of the Difficult Run watershed, but the site drains to the Nichols Run watershed. No Resource Protection Area (RPA) or Environmental Quality Corridor (EQC) exists on the subject property; however, the site is characterized by steeply sloping terrain from the Blacks Hill Road frontage on the southern periphery of the property towards the northern portion of the property where the horse riding rings are located. To ensure conformance with the County's Chesapeake Bay Preservation Ordinance (CBPO), a Water Quality Management Plan (WQMP) is required and is subject to the approval of the Northern Virginia Soil and Water Conservation District (NVSWCD). The WQMP provides

important recommendations to improve water quality protection for these types of operations and include recommendations for improved nutrient management; waste management; and erosion control.

Erosion Control: A site visit to the subject property revealed that the pony field is highly eroded and unprotected. This field is located on a slope which drains north of the subject property toward Nichols Run which is not located on the property. The degraded status of this field was noted as an area of concern which should be addressed by the property owners. Staff noted this concern to the applicants, that they should provide evidence that this field has been stabilized, as well as a plan to maintain the field in a stable condition into the future.

Waste Management: Containment of animal waste is important for water quality protection; however, in the initial application the statement of justification did not provide any information regarding how the animal waste would be addressed for this operation.

To address the above noted issues, the applicants worked with the Northern Virginia Soil and Water Conservation District to develop a WQMP and incorporate those provisions into the special permit plat. The applicants revised the plat to show a terracing plan, which has already been implemented to reduce and control erosion in the pony field. In addition, the applicants developed a nutrient management plan and animal waste treatment procedures, which include specific recommendations for animal waste for this site, such as composting and reuse on the subject property. The WQMP is included in Appendix 6. The development conditions further address the above noted issues by requiring the continued maintenance of the riding stable under the provisions of the WQMP as approved by the NVSWCD.

Urban Forestry Analysis (Appendix 7)

Urban Forest Management indicated with the original submittal that an Existing Vegetation Map (EVM) to include information about the general composition and extent of the existing vegetation for this special permit application had not been provided. In addition, the original submittal did not provide Preliminary 10-year tree canopy requirements and it was unclear how the 10-tree canopy requirements for this site would be met

In response to these comments, the applicants provided an EVM that depicts the location of any cover types. The applicants show existing tree cover of 93,870 square feet consisting of oak, maple, poplar and pine on site. The applicants have also submitted a revised landscape plan showing a detailed EVM, which includes tree canopy calculations. The applicants indicate over 39% tree canopy. The minimum required canopy is 10%; therefore the applicant exceeds the minimum required.

Transitional screening and barriers were not shown or identified on the original submittal of the special permit plat. Transitional screening Type 2 (35 foot wide areas) and associated barrier D, E, or F are required along all property boundaries. If modifications to these requirements are requested, a detailed justification is required as part of the special permit request.

In response to these comments the applicants revised the landscape plan to provide additional plantings along the northern property line and request modifications in favor of the existing vegetation along all property lines. The applicants also request a modification in favor of the existing barrier, a four foot high three rail board fence along the northern, eastern and western property lines adjacent to the proposed use. The justification for the requested modifications are included on page 3 of the special permit plat.

Transportation Analysis (Appendix 8)

In the transportation analysis provided by the Fairfax County Department of Transportation (FCDOT) for the original submission of the application for the special permit, it was noted that the existing easement road, a private road called Blacks Hill Road, which the applicants and neighboring sites use for access appears to be designed and maintained for residential use. The comments recommend that the applicant consider the feasibility of extending the Falls Bridge Road (a public street) into the site and neighboring lots.

As an alternative to the extension of Falls Bridge Road in order to provide access to the site, the applicants could also designate a carpool program/ shuttle service that extensively limits the amount of commercial trips on Blacks Hill Road.

If the applicants use Blacks Hill Road for the proposed use, they should work with all Blacks Hill Road easement owners to secure an acceptable solution regarding the use and maintenance of the easement road. Full comments from the FCDOT are found in the attached Appendix 8.

In response to these comments, the applicants have provided copies of the easement showing that there are no stated limitations on the use of the private road for a riding stable. Further, the applicants have also provided a copy of a maintenance agreement dating back to 1972 between the owners using the road at the time showing that one of the properties participating in the agreement operated a horse boarding operation and farm over the subject road. The applicants have committed to limit trips along Blacks Hill Road by requiring all students to carpool to the subject property.

The applicants have also submitted a revised plat showing an alternative access into the subject property that could be provided subject to approval by the Virginia Department of Transportation (VDOT). If alternate access is not approved, impacts to Blacks Hill Road are still minimized by the operation of the carpool program to the site and limiting students to no more than 12 per day. The development conditions further address these issues by limiting the total number of students and requiring carpools as stated in the special permit application.

Storm Water Analysis

The Department of Public Works and Environmental Services (DPWES) notes that the proposed use will not result in any further land disturbance over what already exists from the use as a residence. There are no RPA and floodplain on the subject lot.

ZONING ORDINANCE PROVISIONS

RC DISTRICT BULK REGULATIONS	REQUIRED	PROVIDED
Lot Size	75,000 square feet	5.47 acres
Lot Width	200 feet	406 feet
Building Height	35 feet (residence) 60 feet (other)	Dwelling: 31 feet Sheds/barns: range >30 feet
Front Yard	50 feet (dwelling)	100 feet
Side Yard	20 feet (dwelling)	99 feet
Rear Yard	25 feet (dwelling)	375 feet
Parking	5 spaces	9 spaces

STANDARD	REQUIRED	PROVIDED
Transitional Screening		
North (Residential)	TS 2 (unbroken open space, 35 feet in width, planted with mixed evergreens)	Mix of 21 medium/large evergreen trees as shown on the plat, combined with existing vegetation as shown.
South (Residential)	TS 2	Existing vegetation as shown on plat
East (Residential)	TS 2	Existing vegetation as shown on plat
West (Residential)	TS 2	Existing vegetation as shown on plat
Barrier		
North (Residential)	D, E or F	4.5' split rail board fence
South (Residential)	D, E or F	4.5' split rail board fence
East (Residential)	D, E or F	4.5' split rail board fence
West (Residential)	D, E or F	4.5' split rail board fence

WAIVERS/MODIFICATIONS REQUESTED

Par. 2, Sect. 8-609: Modification of the 100 foot setback of structures from the lot line. Paragraph 2 of the Additional Standards for Riding and Boarding Stables states in part that, "except for light poles and fences, no structure or riding ring shall be located closer than 100 feet from any lot line." However, the Board may modify this requirement for stable structures, riding rings and associated parking and loading spaces existing on the site prior to September 29, 2010. The special permit plat shows all stable structures and riding rings that are located closer than 100 feet from a lot line that existed prior to September 29, 2010, as follows:

Feature	Area	Date Constructed	Location from Lot Line
Barn No. 1	6,165 sq. ft.	2003	62.4 ft.
Barn No. 2	815 sq. ft.	2007	9.2 ft.
Hay Shed No. 3	159 sq. ft.	2007	21.4 ft.
Open Frame Shed No. 4	265 sq. ft.	2007	1.0 ft. (to be reduced in height to 7 ft. and converted to equipment storage for residential use only.
Open Frame Shed No. 5	522 sq. ft.	2007	72.8 ft.

The applicant requests that the existing stable structures and the lower riding ring be allowed to remain closer than 100 feet from the lot line under the provision that allows stable structures and riding rings that existed prior to September 29, 2010, to remain. The use and associated structures existed and were adapted to the operation of a lesson program in 2009, and would otherwise be permitted by right as accessory structures to the residence. Staff believes that since the applicant has reduced the proposed scale of the riding program to a maximum of 12 students and has proposed to remove another from equestrian use to an accessory shed to the residence, the modification request will not result in impacts to surrounding properties and is therefore justified.

Two features of the proposed stable, the upper riding ring and the parking area were constructed after September 29, 2010. The upper riding ring is located 75 feet from the nearest lot line, and the gravel parking spaces are located 52.5 feet from the edge of the private gravel road, and 77.5 feet from the front lot line.

Paragraph 2 of Sect. 8-609 permits modifications to the setbacks required for riding and boarding stables to reduce the required 100 foot setback for stable structures and riding rings established on the lot after September 29, 2010, to no less than 40 feet from the nearest lot line. Setbacks for parking spaces and associated loading may be reduced to not less than 20 feet. The parking lot meets the requirement to provide a 50 foot setback for parking and loading spaces. A modification is requested by the applicants for the existing upper riding ring to allow it to remain 75 feet from the nearest lot line.

The upper riding ring is further separated from the nearest residential lots by a 25 foot wide strip of land used as access for the property to the north of the proposed riding stable. In staff's evaluation, the requested modification is warranted since there is an actual separation of 100 feet from surrounding residential lots, and since the scale of the proposed use is reduced to no more than 12 students per day during daylight hours.

Par. 1 and 6, Sect. 13-302 Waiver and modification of portions of the transitional yard along the west, north and south property lines. The applicants request to modify the 35 foot wide (Transitional Screening 2) screening requirement along all lot lines in favor of existing vegetation, supplemented with evergreen trees along the northern lot line. New evergreen trees would be planted along the northern property line in an area that does not contain many trees in order to supplement the existing vegetation and provide an increased buffer for the residence to the north of the subject property. The applicants statement of justification for the requested modification notes that the adjoining properties are acreage lots similar to the subject property that are well vegetated with large areas of open spaces and pastures typical of the semi-rural character of the area. The site contains a substantial amount of existing vegetation around the perimeter of the site. Staff believes the existing vegetation is sufficient with the addition of evergreen trees along the northern property line, and the modification to the barrier requirement is reasonable in favor of the existing fencing.

OTHER ZONING ORDINANCE REQUIREMENTS

Special Permit Requirements (See Appendix 9)

- General Special Permit Standards (Sect. 8-006)
- Standards for All Group 6 Uses (Sect. 8-603)
- Additional Standards for Riding and board Stables (Sect. 8-609)

General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.

The Comprehensive Plan recommends low density residential uses in the vicinity of the proposed use. The proposed riding stable would be located on a lot in excess of five acres with a residential home, offering riding lessons for no more than 12 students. Staff believes that the scale of the proposed use in conjunction with the residence is in harmony with the uses contemplated in the adopted comprehensive plan.

2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

The purpose and intent of the RE Zoning District is to promote agricultural uses and low density residential uses and to allow other selected uses that are compatible with the open and rural character of the district. Staff believes that the proposed riding stable use associated with a residential home that is limited to no more than 12 students is compatible with the open and rural character of the district, is consistent with agricultural and rural residential uses, and is therefore in harmony with the general purpose and intent of the applicable zoning district.

3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.

The application for a riding stable on the subject property is conditioned to limit the proposed riding lessons to no more than 12 students per day and incorporates carpooling of the students to limit any proposed impacts from vehicular traffic to neighboring residences. In addition, an alternate access to the site may be provided from Falls Bridge Road subject to the approval of VDOT that could avoid the use of the private gravel road and redirect traffic to the site through a public road designed to carry up to 2000 vehicle trips per day. Transitional screening is provided to enhance the existing trees and landscape buffering along the perimeter of the property. Given the protections offered by the applicants to limit impacts from the use and enforced by the proposed development conditions, staff believes that the application for the special use permit will be harmonious with and will not adversely affect the use or development of neighboring properties.

4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

As stated in General Standard 3, the proposed use is limited to riding lessons for no more than 12 students per day, and requires carpooling to limit the number of vehicle trips generated from the proposed use on a private residential road. In addition, an alternate access route from a public road could be approved by VDOT that would avoid additional trips through a private gravel road. In either case the use is limited through the development conditions such that vehicular and pedestrian traffic associated with the use will not be hazardous or conflict with traffic in the neighborhood.

5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.

With approval of the modifications requested with the application to use existing vegetation supplemented with evergreen plantings and fencing around the perimeter of the site, the application will be in accordance with the provisions of Article 13 of the Zoning Ordinance.

6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.

Open space is provided in excess of 30% of the site, in accordance with the provision of the RE District, therefore General Standard 6 has been met.

7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.

Parking to serve the proposed use is provided in accordance with the provisions of Article 11, therefore this General Standard has been met.

8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

No additional signage is proposed as part of this application.

Standards for all Group 6 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 6 special permit uses shall satisfy the following standards:

1. All uses shall comply with the bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.
3. Except as may be provided for in Sect. 609 below, no off-street parking and loading space shall be located within fifty (50) feet of any adjoining property which is in an R district.
4. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

With the approval of the modifications discussed previously and adoption of the proposed development conditions, the standards for all Group 6 uses have been met.

Additional Standards for Riding and Boarding Stables

1. The minimum lot size requirement shall be two (2) acres.

The lot size for the application property is 5.486 acres; therefore the requirements of Paragraph 1 of Sect. 8-609 are met.

2. Except for light poles and fences, no structure or riding ring associated with a riding or boarding stable shall be located closer than 100 feet to any lot line. However, for stable structures, riding rings and/or associated parking and loading spaces established on the lot on or after September 29, 2010, the BZA may reduce the 100 foot setback required for stable structures and riding rings to no less than 40 feet, and may reduce the 50 foot setback required for associated parking and loading ng spaces, as required by Sect. 609 above, to no less than 20 feet. For stable structures, riding rings and/or associated parking and loading spaces existing on the lot prior to September 29, 2010; the BZA may modify or waive the 100 foot setback required for stable structures and riding rings and/or the 50 foot setback required for associated parking and loading spaces. Such modification or waiver shall only be granted when the applicant has demonstrated to the satisfaction of the BZA that such setback(s) is not necessary to minimize any adverse imp acts on adjacent properties due to one or more of the following:
 - A. Specific operational characteristics of the riding and boarding stable such as the limits on the number of horses, students and employees; use of outdoor lighting and public address systems; hours of operation; number and frequency of special events; odor mitigation and amount and type of outdoor activity.
 - B. Conditions which adequately buffer adjacent properties from the riding and boarding stable, which may include but are not limited to: topography, vegetation, location and/or orientation of on-site structures, proximity of adjacent dwelling units, development of adjacent properties with non-residential uses, and/or existence of roads and/or major utilities.

A detailed discussion of the applicants' request for modifications to the requirements as provided in Paragraph 2 of Sect. 8-609 was presented in the Waivers and Modifications Section of the staff report. As a result, staff believes that with the adoption of the proposed development conditions, the standards contained in Sect. 8-609 of the Zoning Ordinance will be met.

Summary of Zoning Ordinance Provisions

All applicable standards have been satisfied with the proposed development conditions.

CONCLUSIONS

The applicants established the use of horses on the property as a private by-right use, after which they decided to provide lessons. Originally, the applicants operated the lesson program at a greater intensity with a larger number of students, more classes and without carpooling to the site to reduce vehicle traffic. After issuance of the Notice of Violation and the submission of the application of a special permit, the applicants have reduced the intensity of the proposed use to only 12 students per day with the implementation of a carpool program. The applicants also originally requested the use

of outdoor lighting for the lessons and extended the hours further into the evening. After working with staff to reduce the negative impact on the neighboring properties, the applicants rescinded the request to use outdoor lighting for riding lessons. The applicants also addressed nutrient management, animal waste and erosion issues by obtaining approval of a Water Quality Management Plan by the Northern Virginia Soil and Water Conservation District and implementing elements of the plan as shown on the special permit plat. In addition, the applicants propose to increase the plantings along the northern property line adjacent to the closest neighbor to provide additional buffers around the perimeter of the property. Staff believes the traffic directly related to the students has been minimized and can either be handled by the existing private road, which connects to Georgetown Pike, or by a connection to Falls Bridge Lane. The applicants have shown an option of connecting Blacks Hill Road to Falls Bridge Lane, an improved road that is part of the Virginia Department of Roads (VDOT) Right of Way, but is subject to VDOT approval and is designed to carry up to 2000 vehicle trips per day.

Staff concludes that the subject application is in harmony with the Comprehensive Plan and in conformance with the applicable Zoning Ordinance provisions as discussed previously in the report with the implementation of the Proposed Development Conditions contained in Appendix 1 of the Staff Report.

RECOMMENDATIONS

Staff recommends approval of SP 2013-DR-052 subject to the Proposed Development Conditions in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

APPENDICES

1. Proposed Development Conditions with Attachment 1
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Notice of Violation
5. Land Use and Environment Analysis
6. Water Quality Management Plan
7. Urban Forestry Analysis
8. Transportation Analysis
9. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

March 26, 2014

SP 2013-DR-052

If it is the intent of the Board of Zoning Appeals to approve SP 2013-DR-052 located at Tax Map 6-4 ((1)) 26 for a riding stable, pursuant to Section 8-609 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicants only, Charles B. Molster III and Sharon B. Molster, and is for the location indicated on the application, 815 Blacks Hill Road (5.47 acres), and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat prepared by TriTek Engineering, dated December 28, 2012 as revised though March 13, 2013 and approved with this application, as qualified by these development conditions.
3. A copy of these special permit conditions **shall be posted in a conspicuous place on the property** of the use and be made available to all department of the County of Fairfax during the hours of operation of the permitted use.
4. There shall be a maximum number of 12 students per day for riding lessons and a maximum of 12 students per day during summer camp, to be conducted in strict accordance with the days and times listed in the schedule outlined in Attachment 1.
5. Parking shall be provided as shown on the special permit plat. All parking shall be provided on site.
6. The maximum number of horses on site at any one time shall be 8.
7. There shall be no shows or special events on site, however family events and other private events not associated with the commercial riding stable shall be allowed.
8. There shall be no loud speakers or amplified music on site associated with the commercial riding stable.
9. The existing house on the site shall be used as a residence for the owners of the subject property.

10. A conservation plan outlining Best Management Practices (BMPs) for the operation shall be maintained at all times as approved by the Northern Virginia Soil and Water Conservation District. The conservation plan shall include management techniques for the operation, including pasture management, animal waste management, composting and nutrient management. No animal waste shall be permitted to decay in place or to be washed into the natural drainage from the site.
11. No outdoor lighting shall be permitted in conjunction with the riding lesson program or summer camp activities. Lighting may be used for private use by the applicants or their family, and shall be in conformance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance.
12. The Transitional Screening shall be provided as shown on the special permit plat, subject to review and approval by the Forest Conservation Branch from the Department of Public Works and Environmental Services (DPWES) and, in conjunction with existing vegetation, shall be deemed to meet transitional screening requirements. Existing fences shall be deemed to satisfy the barrier requirements.
13. Landscaping shall be provided as shown on the special permit plat, but shall not less be than 10% of the overall site area. Non-invasive species and locally common native species shall be used to the greatest extent possible as determined in coordination with the Forest Conservation Branch from the Department of Public Works and Environmental Services (DPWES).
14. Modifications to accessory structures shown on the special permit plat shall be completed no later than six (6) months from the date of approval of the special permit.
15. Alternate access to the site may be provided as shown on the special permit plat, subject to the review and approval of the Virginia Department of Transportation. In the event that alternate access is approved and constructed, access to the site from Blacks Hill Road shall be discontinued.

This approval, contingent on the above-noted conditions, shall not relieve the Applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Application No.(s): SP 2013-DR-052
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: February 26, 2014
 (enter date affidavit is notarized)

1196206

I, Benjamin F. Tompkins, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) ☐ applicant
☒ applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(**NOTE:** All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Charles B. Molster, III and Sharon B. Molster	815 Blacks Hill Road Great Falls, VA 22066	Applicants/Title Owners Tax Map 6-4 ((1)) 26
Reed Smith LLP Agent: Grayson P. Hanes, Esq. Benjamin F. Tompkins, Esq.	3110 Fairview Park Drive Suite 1400 Falls Church, VA 22042	Attorney and Agent
Thomas E. Reed, III	4031 Chain Bridge Road Suite 301 Fairfax, VA 22030	Real Estate Broker, Appraiser and Agent
Tri-Tek Engineering, Inc. Agent: Theodore D. Britt	690 Centre Street, Suite 300 Herndon, VA 22070-5015	Engineer and Agent

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): SP 2013-DE-052
(county-assigned application number(s), to be entered by County Staff)

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: February 26, 2014
(enter date affidavit is notarized)

1196206

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Tri-Tek Engineering, Inc.
690 Center Street, Suite 300
Herndon, VA 22070-5015

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

Theodore D. Britt
Kevin E. Murray

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): SP 2013-02-052
(county-assigned application number(s), to be entered by County Staff)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: February 26, 2014
(enter date affidavit is notarized)

1196206

- 1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

Reed Smith LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, VA 22042

(check if applicable) ☒ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

Abbott, Kevin C.	Bernier, Maria N. (Former)	Bradley, Patrick E.
Abdalla, Tarek F.	Bernstein, Leonard A.	Brennan, James C.
Alexander, Eric L.	Bettino, Diane A.	Brown, Andrew Kenneth (Former)
Allen, Thomas L.	Bhattacharyya, Gautam (NMI)	Brown, Charles A.
Andrews, Alex T.	Bickham, J. David	Brown, Jon M.
Arnold, Roy W.	Binder, Dr. Justus (NMI)	Brown, Michael K.
Atallah, Ana (NMI)	Binis, Barbara R.	Burroughs, Jr., Benton (Former)
Bagnell, Nicole R. Snyder	Birt, Steven James	Cameron, Douglas E.
Baker, Scott D.	Blasier, Peter C.	Campos, Lorraine M.
Barber, William James Gresham	• Bochner, Russell J. (Former)	Caplan, Gary S. (Former)
Barnes, James J.	Bolden, A. Scott	Carder, Elizabeth B.
Bartfeld, Arnold L.	Bonessa, Dennis R.	Cardozo, Raymond A.
Bastier, Ellen L.	Booker, Daniel I.	Casdagli, Emma Francis (Former)
Beale, Giles W.	Borg, Christopher (NMI)	Cassidy, Peter J.
Beale, Timothy (NMI)	Boutcher, David J.	Charot, Benoit (NMI)
Begley, Sara A.	Boven, Douglas G. (Former)	Cheung, Janet Bo Chun
Beilke, Michele J.	Bovich, John P.	Clark, II, Peter S.
Bell, Gordon F.	Box, M. Tamara	Cobetto, Jack B.

(check if applicable) ☒ There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): SP 2013 - DR - 052
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 3

Special Permit/Variance Attachment to Par. 1(c)

DATE: February 26, 2014
(enter date affidavit is notarized)

1196206

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, zip code)

Reed Smith LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, VA 22042

(check if applicable) ☒ The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

Cody, Daniel A.	Francis, Jr., Ronald L.	Hill, Robert J.
Cohen, David R.	Frank, Ronald W.	Hill, Thomas E.
Colman, Abraham J.	Freeman, Lynne P.	Hirsch, Austin L.
Conner, Walter Thomas	Frenier, Diane M.	Hitt, Leo N.
Connoley, Mark F.	Fritton, Karl A.	Ho, Delpha (NMI)
Connors, Eugene K. (Former)	Gabbert, Dale (Former)	Hofmeister, Jr., Daniel J.
Convery, III, J. Ferd	Gallo, Frank J.	● Honigberg, Carol C. (Former)
Cooper, Steven (NMI)	Gasparetti, Lorenzo E.	Hooper, John P.
Cotler, Alan K.	Geist, Melissa A.	Horrigan, Courtney C.
Couste, Marina (NMI)	Gentile, Jr. Pasquale D.	Houston, Marsha A.
Davies, Colleen T.	Graumlich, Betty S.	Hultquist, James T.
Davis, James M.	Greenblatt, Lewis B.	Husar, Linda S.
Dentice, Nathan P. W.	Green-Kelly, Diane	Iino, John M.
Dermody, Debra H.	Greer, Amy J.	Ince, Thomas A.
DiFiore, Gerard S.	● Greeson, Thomas W. (Former)	Innamorato, Don A.
Dilling, Robert M.	Grellet, Luc J.	Jared, Cynthia (Former)
Dillon, Lee Ann	Grignon, Margaret A.	Jaskot, Paul J.
DiNome, John A.	Grimes, David M.	Jeffcott, Robin B.
Doron, Uri (Former)	Gross, Dodi Walker	Jenkinson, Andrew P.
Drew, Jeffery R.	Guadagnino, Frank T. (Former)	Jong, Denise (NMI)
Dubelier, Eric A.	Gunn, Richard M.	Jordan, Gregory B. (Former)
● Dumville, S. Miles (Former)	Gwynne, Kurt F.	Kabnick, Lisa D.
Duronio, Carolyn D.	Hackett, Mary J.	Karides, Constantine (NMI)
East, Lindsay T. (Former)	Halbreich, David M.	Kaufman, Marc S.
Ellis, Peter M.	Hammudi, Ziad A.	Kaung, Alexander Wai Ming
Ellison, John N.	Hansson, Leigh T.	Kirk, Dusty Elias
Epstein, Bette B. (Former)	Hardy, Peter A.	Kirkpatrick, Stephen A.
Eskilson, James R.	Hargreaves, Philip M. (Former)	Kozlov, Herbert F.
Estrada, Edward J.	Hartley, Simon P.	Kramer, Ann V.
Evagora, Kyriacos (NMI)	Hartman, Ronald G.	Krasik, Carl (Former)
● Fagelson, Ian B. (Former)	Hasselman, Scot T.	Krebs-Markrich, Julia
Falkner, Robert P.	Hawley, Terence N.	Kugler, Stefan L.
Fawcett, David B.	Healy, Christopher W.	Kwuon, Janet H.
Fogel, Paul D.	Heffler, Curt L.	Lacy, D. Patrick Jr. (Former)
Fosh, Michael John J.	Hemming, Seth M.	Lai, Ivy (NMI)
	Hewetson, Charles M.	Lasher, Lori L.

(check if applicable) ☒ There is more partnership information and Par. 1(c) is continued further on a
"Special Permit/Variance Attachment to Par. 1(c)" form.

Application No.(s):

SP-2013 DR-052

(county-assigned application number(s), to be entered by County Staff)

Page 2 of 3

Special Permit/Variance Attachment to Par. 1(c)

DATE: February 26, 2014

(enter date affidavit is notarized)

1196206

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, zip code)

Reed Smith LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, VA 22042

(check if applicable) ☒ The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

Leech, Frederick C.
Leiderman, Harvey L.
Li, Lianjun (NMI)
Loepere, Carol C.
Lo Vallo, Michael A.
Lowenstein, Michael E.
Lyons, III, Stephen M.
Magera, George F. (Former)
Maguire, Nicola K.
Mahone, Glenn R.
Maiden, Todd O.
Mantell, Nanette W. (Former)
Martin, James C.
Martini, John D.
McAllister, David J.
McCarroll, James C.
McConnell, Stephen J.
McDavid, George E.
McGarrigle, Thomas J.
McNair, James E.
McNichol, Jr., William J. (Former)
Mehfoud, Kathleen S. (Former)
Melodia, Mark S.
Metro, Joseph W.
Miller, Edward S.
Miller, Jesse L.
Miller, Steven A.
Min, Catharina Y.
Moberg, Marilyn A.
Mok, Kar Chung
Moller, Charlotte (NMI)
Morrison, Alexander David
Munsch, Martha Hartle
Napolitano, Perry A.
Nagle, Louis A. (Former)
Nelson, Jack R.

Nicholas, Robert A.
O'Brien, Kathyleen A.
O'Donoghue, Cynthia (NMI)
O'Neil, Mark T.
Paisley, Belinda L.
Parker, Roger J.
Patterson, Lorin E.
Pearman, Scott A.
Peck, Jr., Daniel F.
Pedretti, Mark G.
Pepper, Michael Ross David
Petersen, Matthew J.
Peterson, Kurt C.
● Philipps, Richard P. (Former)
Phillips, Robert D.
Phillips, Robert N.
Pierre, Yvan-Claude J.
Pike, Jonathan R.
Poe, Alexandra (NMI)
Pollack, Michael B.
Powell, David C.
Pryor, Gregor J.
Quenby, Georgia M.
Quinn, Jonathan S. (Former)
Radley, Lawrence J.
Rahl, J. Andrew (Former)
● Raju, Ajay K. (Former)
Rawles, Douglas C.
Raymond, Peter D.
Reid, Graham M.
Reinke, Donald C.
Robinson, Richard A.
Roche, Brian D.
Rosen, Barry S.
Rosenbaum, Joseph I.
Rosenberg, Carolyn H.

Roth, Robert A.
Rowan, Vincent B.
Rubenstein, Donald P.
Ryan, Catherine S.
Rydstrom, Kirsten R.
Rymer, Philip R.
Sanders, James L.
Sanders, Michael (NMI)
Sauvage, Nicolas C. (Former)
Schaffer, Eric A.
Schatz, Gordon B. (Former)
Schlecker, David M.
Schlesinger, Matthew J.
Schmarak, Bradley S.
Schwartz, Wendy H. (Former)
Scogin, Hugh T. (Former)
Scott, Michael T.
Seaman, Charles H.
Sedlack, Joseph M.
Sessa, Stephen E.
Shanus, Stuart A.
Sharma, Asha Rani
Shaw, Nick J.
Shay-Byrne, Olivia
Short, Carolyn P.
Shugrue, John D.
Siev, Jordan W.
Sigelko, Duane F.
Simons, Robert P.
Singer, Paul M. (Former)
Skrein, Stephen P.
● Slater, Phillip B. (Former)
Smersfelt, Kenneth N.
Smith, John Lynn
Smith, Robert M.
Sollie, Kyle O.

(check if applicable) ☒ There is more partnership information and Par. 1(c) is continued further on a "Special Permit/Variance Attachment to Par. 1(c)" form.

Application No.(s):

SP 2013 - DR - 052

(county-assigned application number(s), to be entered by County Staff)

Page 3 of 3

Special Permit/Variance Attachment to Par. 1(c)

DATE: February 26, 2014

(enter date affidavit is notarized)

1196206

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, zip code)

Reed Smith LLP
3110 Fairview Park Drive, Suite 1400
Falls Church, VA 22042

(check if applicable) ☒ The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., **General Partner, Limited Partner, or General and Limited Partner**)

Sorensen, Anker (NMI)
Spafford, Richard A.
Speed, Nicholas P.
Springer, Claudia Z.
Stanley, David E.
Stephenson, Leon (NMI)
Stewart, II, George L.
Stimpson, Barry P.
Suddath, Thomas H.
Suss, Philipp (NMI)
Swinburn, Richard G.
Tandler, James R.
Tashman, Matthew E.
Taylor, Andrew D.
Taylor, Philip M.
Teare, Peter A.
Terras, Alexander (NMI)
Thallner, Jr., Karl A.
Thomas, Alexander Y.
Thompson, David A.
Thompson, Gary S.
Tocci, Gary M.
Tompkins, Benjamin F.
Toms, Jason (NMI)
Unkovic, John C. (Former)
Vishneski, John S.
Vitsas, John L.
Von Waldow, Arnd N.
Wasserman, Mark W. (Former)

Weiss, David E.
Weissman, David L.
Weissman, Sonja S.
Weller, Charles G.
Wells, Kristin I.
Weyman, Mark L. (Former)
Wilkinson, James F.
Wilkinson, John N.
Wolff, Sarah R.
Wood, Douglas J.
Yam, Perry (NMI)
Yan, Betty (NMI)
Yan, Jay J.
Yoo, Thomas J.
Zaman, Peter O.
Zoeller, Lee A.
Zurzolo, Tracy L.

Additions as of February 15, 2013:

Broughton, Kenneth
Burke, Carol M.
Enochs, Craig R.
Haag, Edmund Lee
Holloway, Wanda G.
Scheve, Stephen E.
Turner, Paul B.
Watt, Christopher B.

Additions as of February 26, 2014:

Alfieri, Paul M.
Armao, Joseph P.
Berman, Patricia Dondanville
Boranian, Steven J.
Brown, Bryan K.
Brown, Claude (NMI)
Dakessian, Mardiros H.
Hagan, John F., Jr.
Hardin, Julie A.
Hatfield, Jacqueline A.
Hryck, David M.
Katsambas, Panagiotis(NMI)
Klett, Dr. Alexander R., LL.M.
Korenblatt, Jeffrey S.
Lackert, Clark W.
Lackner, Marc A.
MacElhone, Isabelle (NMI)
Mercadante, James A.
Minniti, Cindy Schmitt
Mitchell, Jonah D.
Richthammer, Dr. Etienne (NMI)
Schryber, John W.
Solomon, Jonathan (NMI)
Suleman, Sakil A.
Temple, Mark D.
Theodorou, Demetris C.
Watterson, Kim M.
Wong, Patrick Ho Yin

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued further on a "Special Permit/Variance Attachment to Par. 1(c)" form.

Application No.(s): SP 2013- DR -052
(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: February 26, 2014
(enter date affidavit is notarized)

1196206

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE:** If answer is none, enter "**NONE**" on the line below.)

None

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s):

SP 2013 - DR-052

(county-assigned application number(s), to be entered by County Staff)

Page Five

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: February 26, 2014

(enter date affidavit is notarized)

1196206

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

☐ Applicant

☒ Applicant's Authorized Agent

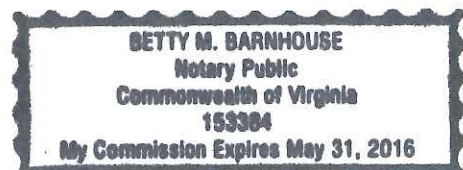
Benjamin F. Tompkins

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 26th day of February 2014, in the State/Comm. of Virginia, County/City of Fairfax.

Betty M. Barnhouse
Notary Public

My commission expires: May 31, 2016



**REVISED SPECIAL PERMIT STATEMENT OF
JUSTIFICATION OF MARCH 14, 2014**

We provide this revised Statement of Justification, and respectfully submit that approval of the special permit would be in the best interest of the residents of Fairfax County, including especially the Great Falls and McLean areas, and would also be consistent with the Comprehensive Plan, the Zoning Ordinance, and the Report of the Equestrian Task Force to the Fairfax County Board of Supervisors dated March 31, 2012, as follows:

A. BACKGROUND

The Molster's originally moved into their home in Great Falls in May of 1992. At that time, Blacks Hill Road was in significant disrepair. The Molsters organized a few neighbors and worked hard to repair the road, and have led that effort for the past 21 years.

In 2003, the Molsters finished a barn and obtained their first horses, and named the barn Blacks Hill Stables (because they are located on Blacks Hill, William Blacks original property). After a few years, they added a riding ring.

In June of 2009, Sharon Molster started a summer riding camp for children, and in the fall of that year she continued with a lesson program for a few students who would ride after school and on weekends. There was minimal impact on the traffic on Blacks Hill Road, and there were no complaints by the neighbors at that time.

The Molsters do not board any horses on their property, and thus there are no horse owners visiting their horses at the barn. Instead, the Molsters own all of the horses that are used in the lesson program.

It should also be noted that there is substantial traffic on the road that has nothing to do with the Molster's lesson program, including traffic from the residents (several of whom have children and very busy schedules), numerous Fed Ex, UPS and other delivery trucks that race up and down the road numerous times each day, animal trailers and trucks for the Leesburg Animal Farm (located at the far end of the road) that drive up and down the road each day, large trash trucks that drive up and down the road each day, and lawn service trucks and trailers that regularly drive up and down the road.

It should also be noted that the original complaint regarding traffic arose during a time when there was additional construction traffic on the road as the Molsters were constructing a new house, which took approximately two years to build, and was completed in July 2012. This construction traffic included trucks and heavy equipment, but again was traffic that had nothing to do with the barn or the lesson program (and was no different than other construction traffic on the road when other houses were built).

B. PRIOR SCHEDULE

Between 2009 and November, 2012, the schedule for the lesson program was basically as follows: summer camp from late June until the first week in August (no lessons are given for the 4-5 weeks between early August and Labor Day), and then lessons in the fall, winter and spring.

The barn would also close from mid-December to early January, and closed again during Fairfax County's Spring Break.

In March 2012, in an effort to reduce the traffic on Blacks Hill Road, the Molsters instituted a mandatory carpool program for the lesson program. In addition to carpooling, drivers were required to drive slowly, and to be respectful of the neighbors. Some of the parents of riders objected to the carpool requirement, and those parents/riders were dropped from the lesson program. The parents that continued with the program have complied with the requirements imposed upon them.

C. PROPOSED SCHEDULE

Pursuant to an agreement made at the BZA hearing on November 28, 2012, the Molsters have not offered the lesson program at their barn since November 27, 2012 pending their efforts to obtain the special permit that is the subject of this Justification.

In their original application for a special permit, the Molsters requested a schedule that would allow lessons from 8:00 am to 7:30 pm, seven days a week, except for the times when the barn is closed in August, at Christmas Break and at Spring Break.

In an effort to address concerns expressed by neighbors, as well as the BZA staff, the Molsters have now dramatically reduced the intensity of the use requested, and now only request to be able to provide regular lessons at the barn to a maximum of 12 students per day, on a maximum of five days per week, and only 4 classes per day in the fall, winter and spring; summer camp from 8:00 a.m. to 2:00 p.m. on Monday through Thursday, and one class per week in the summer, so no more than 5 days per week of lesson. It is important to note that trips on the road associated with the horses will exist regardless of the Special Permit use, such as feed delivery, hay delivery, farrier and veterinarian (most of which occur only occasionally).

The Molsters have also agreed not to use lights for their lesson program, and not to use a P.A. system or loud speakers in connection with their lessons.

The Molsters have also agreed to construct a dense evergreen screen on the North side of their property to help block views of the use (riding ring) by one of the neighbors.

As reflected below, this limited use will have very little impact on the traffic on Blacks Hill Road, normally only 4- 6 cars per day when regular lessons are given; 0 cars per day on days when regular lessons are not given (at least 2 days per week); and only 4-6 cars during summer camp (and again 0 cars per day on at least 2 days per week in the summer).

D. DESCRIPTION OF SUMMER CAMP

A detailed description of the Molster's Summer Camp program is attached hereto as Exhibit 5, along with representative photographs. The program includes at least 50 minutes of riding, and then instruction regarding numerous topics, including horse body parts, medical care, grooming, ground work, taking a horse, and the like.

E. THE EQUINE COMMUNITY IN FAIRFAX COUNTY

1. Blacks Hill Stables Is Completely Consistent With The Recent Equine Task Force Report To The Fairfax County Board Of Supervisors

In their Report to the Fairfax County Board of Supervisors dated March 31, 2012 (which can be found at <http://www.fairfaxcounty.gov/parks/plandev/Downloads/ETF-Final-Report071012.pdf>), the Equine Task Force noted that their charge included to:

- a. Determine needs and priorities for equestrian activities and develop a plan with recommendations for immediate steps to be taken.
- b. Identify and communicate with the equestrian community, to include organized groups and individual unaffiliated equestrians.
- c. Serve as a liaison between the Fairfax County Board of Supervisors and the equestrian community.
- d. Make recommendations to the Board of Supervisors regarding County government actions to support, provide, and promote equestrian opportunities.

In their report, the Task Force included these recommendations:

County staff should examine the existing county zoning laws and permitting processes in conjunction with equestrians to identify obstacles and problems that impede commercial and private equestrian activities, development and expansion.

Fairfax County should be encouraged to seek public/private partnerships as one way to achieve expansion and improvement of equestrian facilities and opportunities.

Fairfax County and the Fairfax County Park Authority (FCPA) should promote equestrian activities as a viable recreational option to both children and adults.

In fact, the Task Force specifically addressed affordable horse riding lessons in its Report, which is exactly what Blacks Hill Stables offers the children in the lesson program:

The Equestrian Coordinator, assisted by an Equine Advisory Committee, would serve as a single community resource point for information available to the County in the following areas:

1. Providing and maintaining facilities for horses and riders
2. Providing and maintaining programs for affordable lessons
3. Providing and maintaining facilities for equestrian events
4. Preservation of land and trails for horses

5. Encouraging county support to retain the history and tradition of the horse within Fairfax County

2. Blacks Hill Road

This is an area of Fairfax County that is conducive to equestrian uses, and there have been horse operations – including horse trailers and horse traffic, along Blacks Hill Road for at least 60+ years. (See Road Agreement dated December 14, 1972 that refers to the horse boarding operation of Wayne Botts that was operated at the far end of Blacks Hill Road for many years.) Several of the properties in the neighborhood still have horses of their own, and one of the opponents of the lesson program had 2 horses of his own when he moved to Blacks Hill Road, and built a barn right next door to the Molster's property (which is still there).

3. The Unique Nature of Blacks Hill Stables

Blacks Hill Stables offers a loving and caring community – “like a family” - where children can enjoy learning and thrive with others in a safe and wholesome environment , much more beneficial than hanging out at the mall or playing video games.

Blacks Hill Stables is also a positive force in the Fairfax County Equine world. Attached hereto as Exhibit 1, are three (3) letters of support: one from the owner of The Saddlery, Inc. (an equestrian shop in Great Falls), confirming that Blacks Hill Stables is a “highly recommended program” for its customers, and confirming that the barn has “strong support in the horses community in Great Falls,” including helping to raise money for Turner Farm; one from Betsy Wede (an instructor with 40 years of experience), who is very familiar with the Molsters' lesson program and who describes in detail the peacefulness of the barn and the land, the kindness with which the riders are treated, and other positive aspects of the barn; and Marion Devlin, a Boy Scout Volunteer who describes in detail the 3-day program for the Boy Scout Horsemanship Merit Badge that the Molsters provided – with no charge – to the participating Scouts. (See Exhibit 1.)

a. The Molsters' Barn Has Had A Major Positive Impact On The Children Who Ride There

As evidenced in many of the parent testimonials (attached hereto as Exhibit 2), Blacks Hill Stables is not just another barn where riders show up, immediately mount a horse, ride for 20 minutes or so, maybe trot for 2 minutes, then get off the horse and leave. Instead, Sharon Molster takes great pride in teaching all aspects of horsemanship and riding, including horse safety, grooming, tacking, equitation, horse health, best barn practices and the like. The barn provides high quality riding instruction to, well-trained horses and ponies, a low ratio of rider to instructor (2/1), and detailed attention safety, both on and around the horses.

Moreover, as repeatedly reflected in the testimonials from the parents of riders (Exhibit 2), the impact of Blacks Hill Stables has been enormously positive to the riders (and even their parents). As even a cursory review of the testimonials will evidence, the riders develop confidence, self-esteem, work ethics and friendships that spill over into all aspects of their lives,

including school work, general responsibility, help dealing with ADHD, other disorders, and even difficult divorces or tragic accidents. See Exhibit 2.

b. Therapeutic Benefits, Especially For Those with Physical, Emotional or Social Challenges

It is clear that this type of equestrian program is especially beneficial to children with physical, emotional or social challenges, as has been well recognized for many years. With regard to Blacks Hill Stables specifically, the Parent Testimonials attached as Exhibit 2 reflect the huge positive impact that the lesson program has had on numerous children, including substantially increasing their self-esteem and self-confidence, which positively influences every aspect of their lives – once you read these testimonials, it is difficult to understand how anyone could be opposed to Blacks Hill Stables, especially given the significant steps that the Molsters have taken to attempt to mitigate any negative impact on the neighborhood at all, including mandatory carpools, insisting that the parents drive slowly, continued maintenance of the road for the past 22 years, and the like.

Also attached with Exhibit 2 is a letter from William Carbaugh, a member of the Board of Directors of Lift Me Up! (a therapeutic riding program in Great Falls). Mr. Carbaugh expresses his support for this application, and confirms the therapeutic and emotional benefit to young riders and the tremendous level of confidence that they develop as they learn to care for, ride and control their horses. Mr. Carbaugh also confirms the value to the community of small riding programs like Blacks Hill Stables. See Exhibit 2 (first letter).

c. The Barn And Lessons Have Also Become An Outreach Program

The mission of Blacks Hill Stables is to provide affordable, undermarket – and in some cases *free* – horse riding lessons to children, including physically and emotionally challenged children, under-privileged children and children of families with parents in the military services.

Some examples of this work are evidenced in the following materials attached hereto as Exhibit 3: photographs of the visit to the barn for *free lessons* that are regularly provided to the underprivileged boys from The Bishop John T. Walker School for Boys, located in Anacostia (Washington, D.C.); documents reflecting charitable work and donations by the barn, including donations to Lift Me Up Therapeutic Riding Center in Great Falls, St. John's Episcopal Church in McLean, Marion DuPont Scott Equine Center in Leesburg, Days End Horse Rescue in Lisbon, Md, Browne Academy in Alexandria, and a Benefit for Gianna Hess – daughter of the Langley High School Basketball Coach, who was diagnosed with liver cancer. (See Exhibit 3)

d. Many Neighbors and Others Support The Lesson Program

Many of the neighbors in the community support the Blacks Hill Lesson Program, including 16 people representing 11 different families in the neighborhood, including the majority of the landowners that are contiguous to the Molsters' property.

Moreover, there is an on-line petition in favor of the application that currently has more than 420 signatures.

E. THE APPLICATION IS CONSISTENT WITH HOME CHILD CARE PERMITS, WHERE NO CARPOOLING IS REQUIRED

The application is also consistent with Fairfax County Home Child Care permits, where up to 12 children are allowed per day, and here no carpooling is required. In these situations, 12 cars are allowed to drive in and out of the property in the morning, and again in the afternoon, for a total of 24 round trips per day.

The Molster's application only seeks 4-6 round trips per day.

G. MODIFICATIONS AND WAIVERS

The site conforms to the provisions of all applicable ordinances, regulations and adopted standards of Fairfax County, except the following:

1. Modify the site barriers to those depicted on the Plan in accordance with Section 13-305.
2. Modify the sites transitional screening yards to those depicted on the Plan in accordance with sections 13-305.

1. BARRIER REQUIREMENTS

Required: Barrier D, E, or F

Provided: Four (4) ft. high, 3 rail board fence as depicted on the Plan.

2. TRANSITIONAL SCREENING

Required: Screening Yard 2- along all site boundaries 35ft width and planted with:

1. A mixture of large and medium evergreen trees that achieves a minimum ten (10) year tree canopy of seventy-five (75) percent or greater.
2. A mixture of trees consisting of at least seventy (70) percent evergreen trees and consisting of no more than thirty-five (35) percent of any single species of evergreen or deciduous tree and

3. A mixture of predominately medium evergreen shrubs at a rate of three (3) shrubs for every ten (10) linear feet for the length of the transition yard area. The shrubs shall generally be located away from the barrier and staggered along the outer boundary of the transition yard.

Provided: A modification is requested to allow the improvements shown per the Plan and to permit existing vegetation to meet the vegetation required. Additional plantings of evergreen trees along the northern boundary will be provided as shown to enhance the screening provided to the north.

G. SPECIFIC RESPONSES

With the conditions imposed by the Board of Zoning Appeals, the property and this use will satisfy the requirements of the zoning ordinance and Comprehensive Plan. The response to the specific issues required to be addressed are as follows:

A. TYPE OF OPERATION(S):

Horse riding lessons, including horse safety, grooming, tacking, horse health, best barn practices and equestrian training.

B. HOURS OF OPERATION:

SEE ATTACHED EXHIBIT 4

C. ESTIMATED NUMBER OF PATRONS/CLIENTS/PATIENTS/PUPILS/ETC.:

Maximum of 12 per day, no more than 4 at a time for regular lessons, no more than 12 for Summer Camp.

D. PROPOSED NUMBER OF EMPLOYEES/ATTENDANTS/TEACHERS/ETC.:

Maximum of 2 per day.

E. ESTIMATE OF TRAFFIC IMPACT OF THE PROPOSED USE, INCLUDING THE MAXIMUM EXPECTED TRIP GENERATION AND THE DISTRIBUTION OF SUCH TRIPS BY MODE AND TIME OF DAY:

We estimate a very low traffic impact with no more than 4-6 round trips per day, fewer on some days, and zero on at least 2 days per week.

F. VICINITY OR GENERAL AREA TO BE SERVED BY THE USE:

Primarily Great Falls, McLean and Vienna.

G. DESCRIPTION OF BUILDING FACADE AND ARCHITECTURE OF PROPOSED NEW BUILDING OR ADDITIONS:

No new buildings or additions are proposed. See photographs submitted with the application.

- H. A LISTING, IF KNOWN, OF ALL HAZARDOUS OR TOXIC SUBSTANCES AS SET FORTH IN TITLE 40, CODE OF FEDERAL REGULATIONS PARTS 116.4, 302.4 AND 355; ALL HAZARDOUS WASTE AS SET FORTH IN VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY HAZARDOUS WASTE MANAGEMENT REGULATIONS; AND/OR PETROLEUM PRODUCTS AS DEFINED IN TITLE 40, CODE OF FEDERAL REGULATIONS PART 280; TO BE GENERATED, UTILIZED, STORED, TREATED, AND/OR DISPOSED OF ONSITE AND THE SIZE AND CONTENTS OF ANY EXISTING OR PROPOSED STORAGE TANKS OR CONTAINERS.

None.

- I. A STATEMENT OF HOW THE PROPOSED USE CONFORMS TO THE PROVISIONS OF ALL APPLICABLE ORDINANCES, REGULATIONS, ADOPTED STANDARDS AND ANY APPLICABLE CONDITIONS, OR, IF ANY WAIVER, EXCEPTION OR VARIANCE IS SOUGHT BY THE APPLICANT FROM SUCH ORDINANCES, REGULATIONS, STANDARDS AND CONDITIONS, SUCH SHALL BE SPECIFICALLY NOTED WITH THE JUSTIFICATION FOR ANY SUCH MODIFICATION.

The use for horse riding stables and lessons will conform to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions imposed by the Board of Zoning Appeals. Approval of the application would also help satisfy the currently un-served and underserved need for horse riding lessons for children in the Great Falls and McLean area, including horse safety, grooming, tacking, equitation, horse health, best barn practices and the like. This need has been generally recognized for many years, and most recently in the Equine Task Force Report to the Fairfax County Board of Supervisors dated March 31, 2012. The lesson program is especially beneficial to certain children with physical, emotional or social challenges, as has been well documented.

The property is zoned RE and the proposed use is consistent with all of the zoning requirements of the county. It is consistent with the Comprehensive Plan, and in compliance with conditions required for this special use and will be consistent with the general and special provisions of the zoning ordinance regarding this use.

In sum, the continued operation of Blacks Hill Stables is entirely consistent with the Comprehensive Plan, the Zoning Ordinance, the specific goals and observations of the Equine Task Force, and the equine nature of Great Falls generally – and Blacks Hill Road specifically – and we respectfully request that the BZA take these issues into account when considering this request for a special permit.

Blacks Hill Stables
Proposed Hours of Operation for Special Permit

Lessons:

Maximum of 5 days per week.

Maximum of 12 riders per day, maximum of 4 riders each class.

Maximum of 4 classes per day, between 8:00 a.m. and 7:00 p.m.

Riders will be required to carpool to the barn, maximum of 4 cars per day for lesson students.

Maximum of 2 instructors each lesson day.

Summer Camp: June- July

Monday – Friday, 8:00 a.m.-2:00 p.m.

Maximum of 12 riders per day.

Campers will be required to carpool to and from camp.

Maximum of 3 cars per day for campers.

Maximum of 2 instructors each camp day.

Summer Lessons: June – July

Maximum of 1 evening lesson per week.

Maximum of 2 cars for carpool.

Maximum of 2 instructors for lesson.



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County.

NOTICE OF VIOLATION

DATE OF ISSUANCE: June 19, 2012

SHERIFF'S LETTER

CASE #: 201204141 **SR#:** 84504

SERVE: Charles B. Molster, III
Sharon B. Molster
815 Blacks Hill Road
Great Falls, VA 22066

**LOCATION
OF VIOLATION** 815 Blacks Hill Road
Great Falls, VA 22066-1301
Tax Map #: 6-4 ((1)) 26
Zoning District: R-E

Dear Property Owners:

An inspection of the above referenced property on June 18, 2012, revealed the following violations of the Fairfax County Zoning Ordinance.

§ 2-303 (1) Special Permit Uses:

This investigation revealed that you are boarding horses, providing horse riding lessons and charging customers a fee for this service. This type of service is deemed to be a riding/boarding stable. A riding/boarding stable is defined in Article 20 of the Fairfax County Zoning Ordinance in part, as:

A structure and/or use of land where four (4) or more horses or ponies are kept, maintained and/ or boarded for profit, or in connection with which saddle horses or ponies are rented to the general public, made available to members of a private club, or boarded for the convenience for their absentee owners. Exercise rings and show rings shall be considered uses accessory to the use of the premises of a stable.

Department of Code Compliance
12055 Government Center Parkway, Suite 1016
Fairfax, Virginia 22035-5508
Phone 703-324-1300 FAX 703-324-9346
www.fairfaxcounty.gov/code

It is noted that a riding/boarding stable is not a permitted by right use in the R-E District. However, a riding/boarding stable is permitted in the R-E District with an approved special permit. Our records indicate no approved special permit has been granted for the referenced property. Therefore, you are in violation Par. 1 of the Sect. 2-303 of the Zoning Ordinance that states:

No use of a structure or land that is designated as a special permit use in any zoning district shall hereafter be established, and no existing use shall hereafter be changed to another use that is designated as a special permit use in such district, unless a special permit has been approved by the BZA and the use has been established in accordance with the provisions of Article 8.

You are hereby directed to clear this violation within thirty (30) days of the date of this Notice. Compliance can be accomplished by the following:

- Discontinuing, on a permanent basis, the operation of a riding/boarding stable on the property and removal of all related supplies, materials, and equipment associated with this business from the residence, or
- Apply for and obtain approval of a Special Permit for the riding/boarding stable operation taking place at the above reference property.

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the Notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance which can result in court ordered sanctions.

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, a written statement setting forth the decision being appealed, the date of decision, the grounds for the appeal, how the appellant is an aggrieved party and any other information that you may wish to submit and a \$600.00 filing fee. Once an appeal application is accepted, it will be scheduled for public hearing and decision before the BZA.

Charles B. Molster III,
Sharon B. Molster
June 19, 2012
Page 3

Should you have any questions or need additional information, please do not hesitate to contact me at (703)324-5031 or (703)324-1300.

Sincerely,

Gabriel Zakkak
Code Compliance Investigator



County of Fairfax, Virginia

MEMORANDUM

DATE: December 13, 2013

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief
Environment and Development Review Branch, DPZ

SUBJECT: Environmental Assessment: SP 2013-DR-052
Molster Riding Stable

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that list and explain environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed development as depicted on the revised Special Permit plat dated October 30, 2013. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through February 12, 2013, on pages 7 and 8 states:

- “Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.**
- Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements. . . .

- Policy e. Update erosion and sediment regulations and enforcement procedures as new technology becomes available. Minimization and phasing of clearing and grading are the preferred means of limiting erosion during construction.
- Policy f. Where practical and feasible, retrofit older stormwater management facilities to perform water quality functions to better protect downstream areas from degradation.
- Policy g. Monitor the performance of BMPs.
- Policy h. Protect water resources by maintaining high standards for discharges from point sources....”

Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through February 12, 2013, on page 10 states:

“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

- Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .”

Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan, Environment, as amended through February 12, 2013, on page 18 states:

“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

- Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices. . . .”

ENVIRONMENTAL ANALYSIS

Water Quality Protection

This request seeks approval for a seven day per week horse riding operation and for several existing structures which were constructed without Special Permit approval for reduction in minimum yard requirement. The activities to be conducted include horse riding lessons, as well as lessons which encompass the full care of 9 horses for no more than 12 students per day. The 5.47 acre subject site is located on the northern periphery of the Difficult Run watershed, but the site drains to the Nichols Run watershed. No Resource Protection Area (RPA) or Environmental Quality Corridor (EQC) exists on the subject property; however, the site is characterized by steeply sloping terrain from the Blacks Hill Road frontage on the southern periphery of the

property towards the northern portion of the property where the horse riding fields are located. No new impervious surface is proposed with this application; therefore, the engineer for this application has not proposed any water quality control measures for this operation. To ensure conformance with the County's Chesapeake Bay Preservation Ordinance (CBPO), the applicant has provided a current Water Quality Management Plan (WQMP) performed in conjunction with the Northern Virginia Soil and Water Conservation District (NVSWCD).

The WQMP provides important recommendations to improve water quality protection for this operation. Those recommendations include improved nutrient management; waste management; and erosion control. The applicant should commit to implementing the recommendations suggested in the WQMP as condition of approval for this special permit application.

Erosion Control: A site visit to the subject property revealed that the pony field is highly eroded and unprotected. This field is located on a slope which drains north of the subject property toward Nichols Run which is not located on the property. The degraded status of this field was noted in the WQMP as an area of concern which should be addressed by the property owners. The applicant should provide evidence that this field has been stabilized, as well as a plan to maintain the field in a stable condition into the future.

Waste Management: Containment of animal waste is important for water quality protection; however, the statement of justification does not provide any information regarding how the animal waste will be addressed for this operation. The WQMP includes specific recommendations for animal waste for this site, such as composting and reuse on the subject property. The applicant should provide information for this special permit application which specifically describes the applicant's plan to contain the animal waste.

COUNTYWIDE TRAILS MAP:

The Countywide Trails Plan Map depicts a natural surface stone dust trail on the north side of Blacks Hill Road immediately adjacent to the subject property.

PGN/MAW



Northern Virginia Soil and Water Conservation District

12055 Government Center Parkway, Suite #905

Fairfax, VA 22035

<http://www.fairfaxcounty.gov/nvswcd/>

Tel: 703-324-1460

Fax: 703-423-1421

---Soil and Water Quality Conservation Plan ---

Property Owner/Operator:

Sharon Molster Stable and Horse Riding Operation

815 Blacks Hill Road

Great Falls, VA 22066

Tel: 703-282-0540

Email: sbmolster@verizon.net (Sharon); cmolster@winston.com (Charles-Husband)

Plan Prepared by:

Willie Woode, Senior Conservation Specialist, NVSWCD

Date:

November 18, 2012

Assessment of operation:

This plan is for a 7- horse stable and riding lessons operation on a 5.5-acre property, located in the Nichol Run Watershed (PL23) at the above address. The equestrian operation management would like to have an approved Soil and Water Quality Conservation Plan that provides Best Management Practices (BMPs) that support an environmentally sound operation.

There is no Chesapeake Bay Resource Protection Area (RPA) or Environmental Quality Corridor (EQC) delineated within the limits of the equestrian operation.

This operation has a large grazing field, a run, a few single horse fields, two outdoor riding rings and three sacrifice areas and stalls. No defined manure stacking facility.

Concerns :

Eroding Pony Field (S/A)

Manure management

Pasture management

This plan contains:

- 1) Improved manure management and reuse recommendations
- 2) Practices for improved pasture management
- 3) Stabilization and grading measures for Pony Field (S/A)
- 4) Improved nutrient management practices

- 5) Integrated Pest Management (IPM) techniques
- 6) Record keeping recommendation

Practices:

1) Nutrient Management (590-D1):

Nutrients will be applied based on soil test results for expected yield goals. All sources of available nutrients will be credited. The rate, timing and method of application are shown on the attached Nutrient Management Plan. This plan was developed and signed by a Nutrient Management Planner, certified by the Commonwealth of Virginia's Nutrient Management Program.

Areas	Amount	Planned		Applied	
		Month	Year	Amount	Date
Big Field, etc.	1.5 acs.	3	2013		
Virginia's Field	0.2 ac.	3	2013		
TOTAL	1.7 ac.				

2) Waste Management:

Currently, horse farm waste is piled unprotected and unmanaged in the northeast corner of the property. A more environmentally sensitive recommendation is to construct a multi-cell composting facility at a location shown on the map. Composted material can be spread on the pasture as recommended in the nutrient management plan. Recommended sizing of composting facility is also provided with this plan. There are several advantages to composting and spreading horse farm waste: i) Volume of waste is considerably reduced; ii) Nutrients are recycled in a beneficial and environmentally sound manner; iii) Weed seeds, bacteria, worms and other pathogens are killed during composting; iv) Soil biological diversity is increased - increased biological diversity improves soil tilth, increases water holding capacity and provides an ideal environment for healthy, mature grass root systems.

For effective composting, stall cleaning method may need to be modified especially if saw dust or shaving is used as the bedding material of choice. Composting proceeds faster if 30 - 40 percent of material is actual waste (i.e. pelleted droppings and urine soaked bedding material). This can be achieved by not 'clean-sweeping' the stalls but by attempting to remove just the soiled bedding and dropping by the use of stall fork.

A guide for sizing a waste composting facility is provided.

Area	Planned Amount Year	Month	Applied Amount	Date
Composting Area	1	12	2012	

3) Pest Management (595-A1):

Pest Management will be carried out to control agricultural pest infestation (weeds, insects, diseases) according to current recommendations from the Cooperative Extension Service. The Pest Management Guide is updated annually.

Areas	Amount	Planned Month	Year	Applied Amount	Date
Big Field	1.5 ac.	12	2013		
Virginia's Field	0.2 ac.	12	2013		
Pony Field (S/A)	0.3 ac.	12	2013		
Large & Small Ring	0.5 ac.	12	2013		
S/A 1 & 2	0.1 ac.	12	2013		
Head Quarters	0.5 ac.	12	2013		
Residential	2.2 ac.	12	2013		
Composting Area	0.2 ac.	12	2013		
TOTAL	5.5 ac.				

4) Erosion Control:

i) "Pony Field" is undergoing active erosion due to heavy use as a sacrifice area, presence of highly erodible soil, steepness and long slope. This plans recommendation is to install a terrace (a low retaining wall, less than 2 ft. high along the contour). A gently sloping earthen ramp can be used to connect the two levels. The ramp can be protected with a stone layer kept in place by a few cross boards. The upper and lower sections of the field can be stabilized using the sacrifice area stabilization illustration provided. As a cost cutting measure, 'crushed' road asphalt can be used as 'footing' material in place of the 3,5,7 gravel. Also after installing the low retaining wall, it is advisable to do the stabilize the upper layer before the lower.

ii) Runoff from the shed on the upper end of pony field should be capture in a roof gutter and discharged into a down spout and an extended corrugated black plastic pipe buried underground. Additional recommendations can be provided upon request.

iii) Erosion at other sacrifice areas can also be addressed by treating the exposed surface in a similar manner.

Areas	Size	Planned		Applied	
		Month	Year	Length	Date
Pony Field	0.3 ac.	12	2012		
S/A1 & S/A2	0.1 ac.	12	2012		
Total	0.4 ac.				

5) Prescribed Grazing (528A-A12):

Graze pasture areas in an intensive rotational manner, and adjusting the pasture recovery period through the grazing season. The grazing period may range from one half to several days. Grazing heights and appropriate recovery periods will be monitored and controlled throughout the grazing season. Include use of your sacrifice areas as a component of the rotational grazing program during periods of drought, saturated pasture conditions, and pasture recovery times.

Consider using temporary hot high-tensile wire fences to sub divide 'big field.' This will help control the pasture grazing pattern of your horses. In addition, it was observed that a thin layer of high organic material had been spread over what appeared to be a poor soil layer. For pasture to be established and become reliable, a 4 – 4 inch-layer of organic soil should be established. This can be accomplished by composting your waste and spreading the humus on your fields, controlling the grazing pattern, and providing the appropriate amount of lime and fertilizer as recommended in the nutrient management plan.

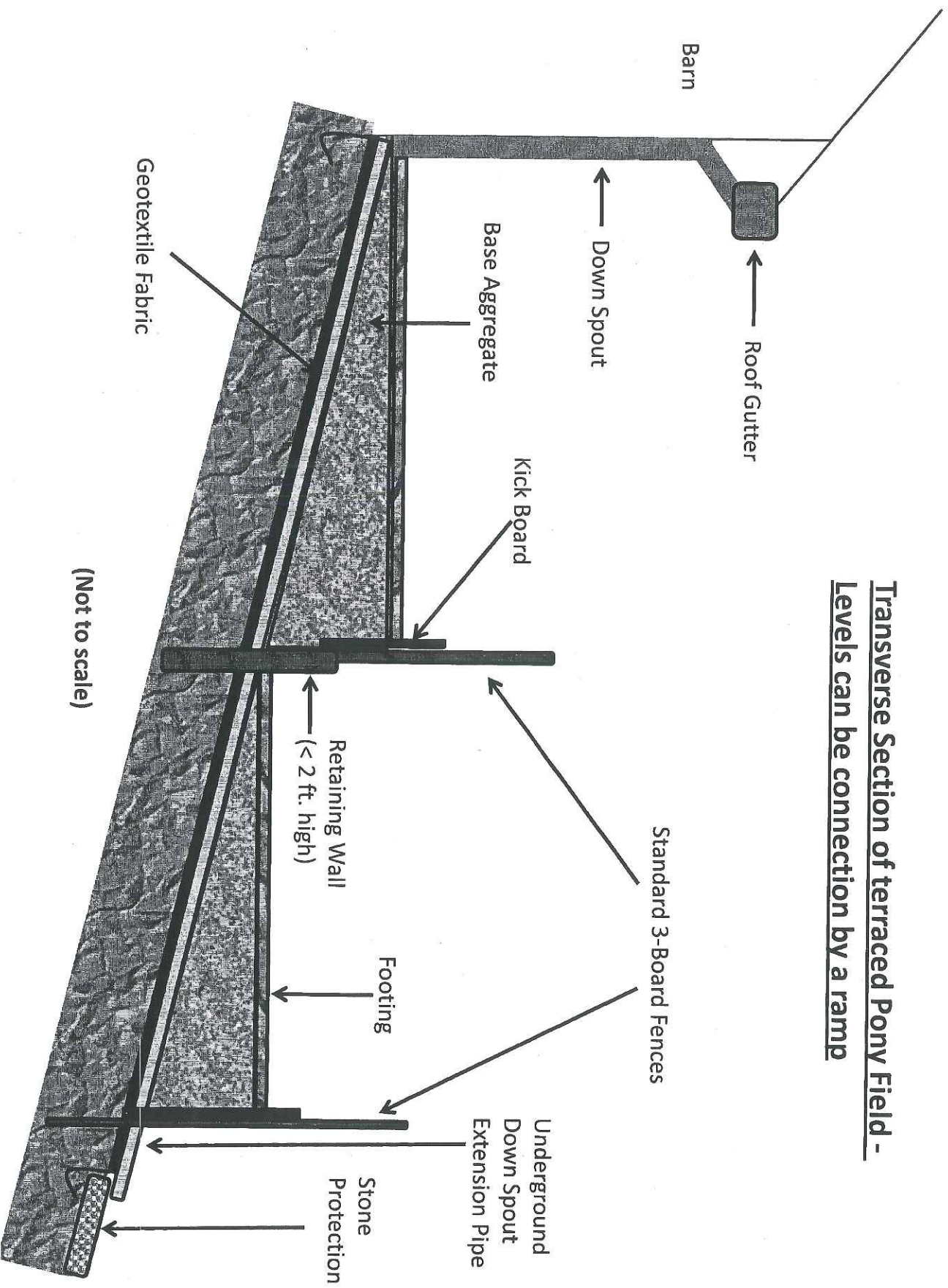
Areas	Amount	Planned		Applied	
		Month	Year	Amount	Date
Big Field	1.5 ac.	12	2013		
Virginia's Field	0.2 ac.	12	2013		
Pony Field (S/A)	0.3 ac.	12	2013		
Large & Small Ring	0.5 ac.	12	2013		
S/A 1 & 2	0.1 ac.	12	2013		
TOTAL	2.6 ac.				

6) Record Keeping (991-A1):

A system of records indicating the dates and applications of nutrients, or pesticides should be developed and maintained. See specimen record sheet.

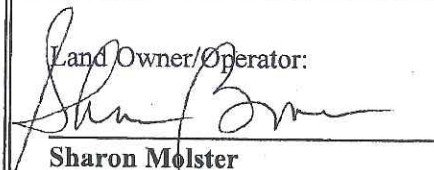
Areas	Amount	Planned		Applied	
		Month	Year	Amount	Date
Big Field	1.5 ac.	12	2013		
Virginia's Field	0.2 ac.	12	2013		

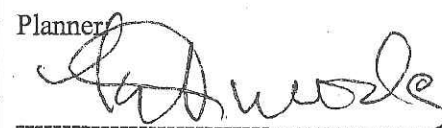
Transverse Section of terraced Pony Field -
Levels can be connection by a ramp




Pony Field (S/A)	0.3 ac.	12	2013		
Large & Small Ring	0.5 ac.	12	2013		
S/A 1 & 2	0.1 ac.	12	2013		
Head Quarters	0.5 ac.	12	2013		
Residential	2.2 ac.	12	2013		
Composting Area	0.2 ac.	12	2013		
TOTAL	5.5 ac.				

**SIGNATURES OF PARTICIPANTS --
Molster's Stable and Riding Operation**

Land Owner/Operator:  Sharon Molster	<u>2/7/13</u> Date
--	------------------------------

Planner:  Wilfred D. Woode	<u>2/7/13</u> Date
--	------------------------------

District Authority:  Chairman - NVSWCD Board	<u>2/20/13</u> Date
--	-------------------------------



County of Fairfax, Virginia

MEMORANDUM

DATE: February 14, 2014

TO: Rebecca Horner, Staff Coordinator
Zoning Evaluations Division, DPZ

FROM: Craig Herwig, Urban Forester III
Forest Conservation Branch, DPWES

SUBJECT: 815 Blacks Hill Road, SP 2013-DR-052

RE: Request for assistance dated February 11, 2014

The following comments are based on a review of the Special Permit plat stamped "Received, Department of Planning and Zoning, December 26, 2013." A site visit was conducted on August 16, 2013.

General Comment: Comments regarding the previously submitted Application for Special Permit and Special Permit plat were provided to you in my memo dated August 19, 2013. The comments contained in this memo are provided to address the comments that were not adequately addressed in the previous memo.

1. **Comment:** An existing vegetation map (EVM) to include information about the general composition and extent of the existing vegetation on this Special Permit plat.

Recommendation: Provide an EVM that depicts the location of any cover types as described in PFM Table 12.2 and one that meets the requirements of Zoning Ordinance Chapter 112, Article 20 and PFM 12-0506. The EVM submitted with the Special Permit must accurately delineate all areas of the cover types and provide a statement regarding the general health and condition of the vegetation. Include all other required elements of the Zoning Ordinance and Public Facilities Manual.

2. **Comment:** Transitional Screening and Barriers are not shown or identified on the Special Permit Plat as required by 13-300 of the Zoning Ordinance, adjacent to single family, detached dwellings along all property boundary lines.

Recommendation: Transitional screening type 2 and associated barrier D, E, or F in accordance with Zoning Ordinance 13-303.3B should be provided against the northern, southern, eastern, and western property boundaries and transitional screening calculations demonstrating how the transitional screening requirements of ZO 13-303.3B are being met should also be provided as part of the Special Permit. If the

Department of Public Works and Environmental Services

Urban Forest Management Division

12055 Government Center Parkway, Suite 518

Fairfax, Virginia 22035-5503

Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769

www.fairfaxcounty.gov/dpwes



Applicant wishes to pursue a modification of the transitional screening and barrier requirements for this site, a modification request should be submitted with a detailed justification in conformance with ZO 13-305 of the Zoning Ordinance should be provided as part of the Special Permit.

Please feel free to contact me at 703-324-1770 if you have any further questions or concerns.

CSH/

UFMDID #: 183622

cc: DPZ File



County of Fairfax, Virginia

MEMORANDUM

DATE: August 30, 2013

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Comprehensive Planning

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section
Department of Transportation

FILE: 3-6 (SP 2013-DR-052)

SUBJECT: Transportation Impact

REFERENCE: SP 2013-DR-052; Molster
Traffic Zone: 1752
Land Identification Map: 6-4 (01)) 26

Transmitted herewith are comments from the Department of Transportation with respect to the referenced application. These comments are based on the plat dated June 19, 2013.

The special permit amendment request is to operate a horse stable / horse-riding school. The subject site is 5.474 acres and is currently zoned for the RE District. Access to the site is from an easement road called Blacks Hill Road.

- The existing easement road, a private road called Blacks Hill Road, for which the applicant and neighboring sites use for access appears to be designed and maintained for residential type use only. It is suggested the applicant consider the feasibility of extending the Falls Bridge Road (a public street) into the site and neighboring lots.
- An alternative to the above mentioned, is to designate a carpool program/ shuttle service that extensively limits the amount of commercial trips on Blacks Hill Road with an off-site area for pick-up and drop-off.
- The Applicant should work with all Blacks Hill Road easement owners to secure an acceptable solution regarding the use and maintenance of the easement road.

AKR/AK CC: Michelle Brickner, Director, Design Review, DPW & ES

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-28980
Phone: (703) 877-5600 TTY: (703) 877-5602
Fax: (703) 877-5723
www.fairfaxcounty.gov/fcdot



8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-603 Standards For All Group 6 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 6 special permit uses shall satisfy the following standards:

1. All uses shall comply with the bulk regulations of the zoning district in which located, except as may be qualified below.
2. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.
3. Except as may be provided for in Sect. 609 below, no off-street parking and loading space shall be located within fifty (50) feet of any adjoining property which is in an R district.
4. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

8-609 Additional Standards for Riding and Boarding Stables

1. The minimum lot size requirement shall be two (2) acres.
2. Except for light poles and fences, no structure or riding ring associated with a riding or boarding stable shall be located closer than 100 feet to any lot line. However, for stable structures, riding rings and/or associated parking and loading spaces established on the lot on or after September 29, 2010, the BZA may reduce the 100 foot setback required for stable structures and riding rings to no less than 40 feet, and may reduce the 50 foot setback required for associated parking and loading spaces, as required by Sect. 609 above, to no less than 20 feet. For stable structures, riding rings and/or associated parking and loading spaces existing on the lot prior to September 29, 2010, the BZA may modify or waive the 100 foot setback required for stable structures and riding rings and/or the 50 foot setback required for associated parking and loading spaces. Such modification or waiver shall only be granted when the applicant has demonstrated to the satisfaction of the BZA that such setback(s) is not necessary to minimize any adverse impacts on adjacent properties due to one or more of the following:

A. Specific operational characteristics of the riding and boarding stable such as the limits on the number of horses, students and employees; use of outdoor lighting and public address systems; hours of operation; number and frequency of special events; odor mitigation and amount and type of outdoor activity.

B. Conditions which adequately buffer adjacent properties from the riding and boarding stable, which may include but are not limited to: topography, vegetation, location and/or orientation of on-site structures, proximity of adjacent dwelling units, development of adjacent properties with non-residential uses, and/or existence of roads and/or major utilities.